

March 21, 1997

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Federal Communications Commission
Office of Secretary

Ms. Regina Keeney
Chief, Common Carrier Bureau
Federal Communications Commission
1919 M Street, NW, Room 500
Washington, DC 20554

Dear Ms. Keeney:

The Competitive Telecommunications Association ("CompTel"), AT&T Corp. ("AT&T"), MCI Telecommunications Corp. ("MCI") and LCI International, Inc. ("LCI") respectfully request the Commission promptly to convene a limited number of public forums regarding implementation of the OSS requirements of the 1996 Act, and the Commission's orders in its local competition docket. The reasons for this request are set forth below.

On August 8, 1996, the Commission released its First Report and Order ("Order") in CC Docket No. 96-98.¹ The Order establishes regulations to implement the requirements of the Telecommunications Act of 1996, 47 U.S.C. §§ 151 *et seq.* (the Act). Those regulations are intended to enable potential competitive local exchange carriers ("CLECs") to enter and compete in local telephone markets. One such requirement, and one that the Commission found to be "absolutely necessary" and "essential" to successful entry and meaningful competition by CLECs, is that the incumbent local exchange carriers ("ILECs") provide nondiscriminatory access to their operations support systems ("OSSs"). The Commission required that nondiscriminatory access "must" be made available "as expeditiously as possible, but in any event no later than January 1, 1997."

¹ Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, CC Docket No. 96-98, First Report and Order, FCC 96-325, released August 8, 1996, Order on Reconsideration, 11 FCC Rcd. 13042 (1996), Second Order on Reconsideration, FCC 96-476, released December 13, 1996 ("Second Reconsideration Order").

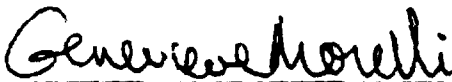
In its Second Reconsideration Order, the Commission reaffirmed these conclusions. While noting that it would not take enforcement action against a non-complying ILEC under certain conditions, the Commission reiterated that: (i) ILECs must provide access to OSSs on terms and conditions "equal to the terms and conditions on which an incumbent LEC provisions such elements to itself or its customers;" and (ii) "incumbent LECs that do not provide access to OSS functions, in accordance with the *First Report and Order*, are not in full compliance with Section 251." Second Reconsideration Order, ¶¶ 2, 8, 9, 11. In recognition of its earlier finding that "it is technically feasible for incumbent LECs to provide access to OSS functions for unbundling and resale," the Commission denied the ILECs' request to extend the January 1, 1997 deadline for compliance "regarding access to OSS functions," and at the same time assured that it would "monitor closely the progress of industry organizations as they implement the rules adopted in this proceeding" and take "enforcement action where circumstances warranted." Second Reconsideration Order, ¶¶ 2, 5, 11, 13, 15. The Commission repeated its finding that it is "reasonable to expect that by January 1, 1997, new entrants will be able to compete for end user customers by obtaining nondiscriminatory access to operations support systems functions," and "[t]hus, under our rules, incumbent ILECs must have made modification to their OSS necessary to provide access to OSS functions by January 1, 1997." Second Reconsideration Order, ¶ 7 (citing Order, ¶¶ 524-25).

While the Commission has put to rest all questions concerning the importance of ILECs' providing nondiscriminatory access to their OSSs, it is beyond any genuine dispute that such access has yet to be provided. In particular, it is beyond dispute that access to OSSs is not available for ordering and processing combinations of unbundled network elements, or the unbundled switch, and only limited and inadequate access is provided to OSSs used to support resale. Regrettably in this regard, the implementation process has been impeded substantially by unnecessary disputes over what is required for an ILEC to be in compliance with the OSS requirements. Unfortunately, our (and, presumably, other CLECs') efforts to pursue these criteria are being stymied by ILECs who contend that ineffective, untested and undeveloped OSSs are permitted notwithstanding that meaningful local competition will not then emerge.

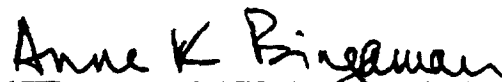
Because of the overarching importance of viable OSS systems to the core local competition objective of the 1996 Act, and because precious time is being wasted in attaining that objective due to protracted (and, in our view, illegitimate) disputes by ILECs, the Commission should act promptly to convene a limited number of public forums -- like it has done with other key aspects of implementing the 1996 Act. At

these forums, representatives of interested parties should address separately access to and the availability of OSSs for resale and unbundled elements (separately and in combination), and should address both progress to date in making OSSs available, and relevant standards or plans for capacity and performance of each relevant element of OSS functionality. We are hopeful that the active assistance of the Commission through these public forums and otherwise can break the unnecessary logjam that currently exists.

Respectfully submitted,



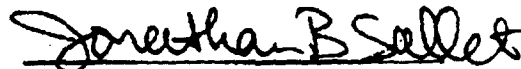
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